

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8638

IN THE MATTER OF:

Served April 4, 2005

Application of CAPITAL CITY COACH,)	Case No. AP-2005-32
INC., for a Certificate of)	
Authority -- Irregular Route)	
Operations)	

By application accepted for filing March 17, 2005, Capital City Coach, Inc., a Maryland corporation, seeks a certificate of authority for irregular route operations between points in the Metropolitan District.

Applicant proposes commencing operations with one minibus. Applicant's proposed tariff contains an airport transfer rate and an hourly charter rate with a minimum charge.

Applicant's president, Reginald W. Tymus, is also the president of Capital City Limousine, Inc., WMATC No. 298.

The Compact states that a carrier or any person controlling, controlled by, or under common control with a carrier shall obtain Commission approval to acquire control of another carrier that operates in the Metropolitan District through ownership of its stock or other means.¹ Approval may be granted if the Commission finds the acquisition is consistent with the public interest.² The public interest analysis focuses on the fitness of the acquiring party, the resulting competitive balance, and the interest of affected employees.³

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation and common control are consistent with the public interest.

¹ Compact, tit. II, art. XII, § 3(a)(iii).

² Compact, tit. II, art. XII, § 3(c).

³ Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at DC CODE ANN. § 9-1103.04 (2005)); In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd., & Tourtime America Motorcoach, Ltd., No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than April 18, 2005, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than May 2, 2005, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is May 2, 2005, and that copies must be served on applicant's representative, Jim Bowling, 7311 Hanover Parkway, #C&D, Greenbelt, MD 20770.

FOR THE COMMISSION:

A handwritten signature in dark ink, appearing to read 'William S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director